

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

THOMAS KENNEDY,

Plaintiff,

v.

Case No. 1:22-cv-21827-
WILLIAMS

RON DESANTIS, in his official capacity
as Governor of the State of Florida, et al.

Defendants.

/

JOINT MOTION FOR CASE MANAGEMENT CONFERENCE

Plaintiff, Thomas Kennedy, and Defendants, Governor Ron DeSantis (“Governor”), in his official capacity as Governor of the State of Florida; Mark Glass, in his official capacity as Commissioner of the Florida Department of Law Enforcement (“Department”); the City of Miami; and Miami-Dade County (collectively, “Parties”), pursuant to Federal Rule of Civil Procedure 7(b), ask the Court to hold a case management conference to discuss the pending motions and upcoming deadlines in this case. In support, the Parties state:

1. Plaintiff filed his Amended Complaint (DE 48) on September 21, 2022.
2. On September 30, 2022, and October 5, 2022, respectively, Miami-Dade County and the City of Miami moved to dismiss the Amended Complaint

(DE 55 & 57). On October 19, 2022, the Governor and Department moved to dismiss the Amended Complaint (DE 61 & 62). The motions have been fully briefed since November 10, 2022.

3. On October 13, 2022, the Court issued its Scheduling Order (DE 58), which set the deadlines in this case. These included a discovery deadline of April 21, 2023, and a dispositive motion deadline of June 15, 2023.

4. On November 4, 2022, the Defendants filed a Join Motion to Stay Discovery pending the Court's ruling on their motions to dismiss. (DE 68).

5. While the Defendants' motions to dismiss and the motion to stay discovery have been pending, the Parties conducted discovery in a good faith effort to meet the Court's schedule. Specifically, the Parties exchanged written discovery and attempted to schedule numerous depositions.

6. On April 12, 2023, the Parties filed a Joint Motion to Amend/Correct Scheduling Order [DE 86]. In it, the Parties seek a 30-day extension of the deadlines for written discovery (from 4/21/23 to 5/21/23) and dispositive motions (from 6/15/23 to 7/15/23).

7. At this time, each of the aforementioned motions remains pending and the Court has not held or scheduled a case management conference.

8. For that reason, and because the summary judgment deadline is quickly approaching, the Parties believe it would be helpful for the Court to

schedule a case management conference to discuss the pending motions – including potentially scheduling a hearing on the pending motions to dismiss – and the upcoming deadline(s).

WHEREFORE, for the foregoing reasons, the Parties respectfully request that the Court schedule a case management conference to discuss the matters raised in this Motion.

Rule 7.1(a)(3) Certification

Pursuant to Local Rule 7.1(a)(3), the undersigned counsel for all parties hereby certify that they have conferred and join the request for a case management conference.

Dated: June 9, 2023,

/s/ David Geller

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I filed a true and correct copy of the foregoing with this Court's CM/ECF system on June 9, 2023, which effected service on all counsel of record.

/s/ Nicholas J.P. Meros

Nicholas J.P. Meros